



# State Engineer's Office

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August 20, 2018

Submitted electronically to: [comments-rocky-mountain-medicine-bow-routt@fs.fed.us](mailto:comments-rocky-mountain-medicine-bow-routt@fs.fed.us)

Melissa Martin  
Planning and Information Program Manager  
2468 Jackson St., Laramie, WY 82070  
August 20, 2018

Dear Ms. Martin:

As a cooperating agency, the Wyoming State Engineer's Office (SEO) appreciates the opportunity to review and comment on Medicine Bow National Forest (MBNF) Landscape Vegetation Analysis (LaVA) Project draft Environmental Impact Statement (EIS). The role of the SEO and State Board of Control (BOC) is to provide for the general supervision of the waters of the state of Wyoming, and of its appropriation, distribution, and application to beneficial use.

With respect to the SEO's mission, we offer the following comments on the draft EIS for your consideration:

## **Comment #1 – Appendix B: Adaptive Implementation and Monitoring Framework**

Appendix B outlines the LaVA adaptive management implementation and monitoring framework strategy that would establish treatments, ensure compliance with the 2003 MBNF Revised Forest Plan, and maintain or improve designated beneficial uses. The SEO agrees that this flexible resource management approach is necessary to identify and implement management actions at the landscape scale, as conditions are likely to change over the next 15-20 years of the project.

This agency will support MBNF's LaVA project efforts by providing streamflow and diversion data, information about existing water rights and facilities in or around the proposed Treatment Opportunity Areas, plus other relevant information to inform the various phases of adaptive management implementation. The SEO recognizes that doing so will help inform decision making and avoid potential impacts to existing permitted water uses within and around the project area.

As such, the SEO will assist the MBNF to identify areas where there may be greater risk of impacts to existing water rights, which includes impacts to conveyance infrastructure, when

identifying focal areas and implementing management actions. In addition, Table 53 on page 185 details ditch acreages across inventoried roadless areas and could be a useful tool to generally identify which areas may contain a higher proportion of ditches compared to others.

**Comment #2 – Cumulative Effects on Hydrology (page 162)**

There is no analysis of cumulative effects on hydrology under the No Action Alternative. If the assumption is that there are no activities proposed for the No Action Alternative, therefore, no cumulative effects, please add language to this section for clarification. If there are anticipated cumulative effects on hydrology under the No Action Alternative, they should be described and taken into account in the selection of a preferred alternative.

**Comment #3 – Water Conveyance Infrastructure Considerations**

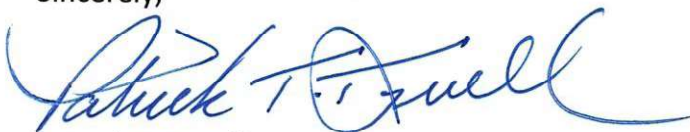
Discussion on page 239 establishes buffers, or water influence zones, around streams to reduce the impacts to aquatic ecosystems while implementing the management activities under the modified proposed action. Diversion ditches transport water from one watershed to another by traversing drainage divides. Many of these water conveyance ditches are not located within streamside riparian zones, but instead along dry, steep hillslopes dominated by lodgepole pine. Treatment activities directly adjacent to any ditches located within the project area could increase the probability of a tree falling across or into the facility. Falling trees create obstacles for flow within the ditch which can cause water to pool and possibly overtop the ditch berm thereby causing infrastructure and/or resource damage.

**Comment #4 – References**

The MacDonald and Stednick (2003) reference used for streamflow regime discussion in the hydrologic cumulative effects is cited in the Environmental Consequences Specialist Hydrology Report on page 158. However, it is not cited in the References section of the draft EIS. Please add it to the reference list.

Thank you for the opportunity to comment. If you have questions on the topics raised in this or any previous letters, please feel free to reach out to Ms. Beth Callaway at: 307-777-8204 or [beth.callaway@wyo.gov](mailto:beth.callaway@wyo.gov).

Sincerely,



Patrick T. Tyrrell  
State Engineer